

Document Page 1 of 3
UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re:

KIM, Sarah S.
SSN: xxx-xx-1250

Debtor

Chapter 13
Case No. 10-23424-FJB

TRUSTEE'S OBJECTION TO DEBTOR'S EXEMPTIONS

Now comes Carolyn Bankowski, Standing Chapter 13 Trustee ("Trustee"), and respectfully objects to the Debtor's exemptions, and for reasons says as follows:

1. On December 13, 2010, the Debtor filed a petition for relief under Chapter 13.
2. According to Schedule C, the Debtor has elected the Massachusetts exemptions.
3. The Trustee objects to the Debtor's claim of the homestead exemption as the Debtor has failed to provide the Trustee with evidence that the Debtor duly recorded the Declaration of Homestead prior to the Petition date.
4. Also, the Debtor has failed to provide the Trustee with the evidence of a recorded Deed on the property and recorded Homestead. Therefore, the Trustee is unable to verify whether the Debtors have owned the property for the requisite period of time to claim the \$140,000.00 exemption.
5. The Debtor has failed to specify the law providing for each of the claimed exemptions on Schedule C.
6. The maximum amount the Debtor can exempt for an automobile necessary for personal transportation is \$700.00 under M.G.L. c.235 §34(16). The Debtor has exempted \$1,500.00 for the 2005 Toyota Camry. The Debtor has therefore exceeded the maximum allowed exemption permitted under §34(16) by \$800.00.

WHEREFORE, the Trustee requests that the Court sustain the Trustee's Objection to Debtors' exemption and for such other relief as is proper.

Dated: May 13, 2011

Respectfully submitted,
Carolyn Bankowski
Standing Chapter 13 Trustee

/s/ Carolyn Bankowski

Carolyn Bankowski BBO# 631056
Patricia A. Remer BBO# 639594
Office of the Chapter 13 Trustee
P.O. Box 8250
Boston, MA 02114
(617) 723-1313
13trustee@ch13boston.com

Document Page 3 of 3
UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re:

KIM, Sarah S.
SSN: xxx-xx-1250

Debtor

Chapter 13
Case No. 10-23424-FJB

Certificate of Service

The undersigned hereby certifies that a copy of the Trustee's Objection to Debtor's Homestead Exemption was served via first class mail, postage prepaid or by electronic notice on the Debtor and Debtor's counsel at the addresses set forth below.

/s/ Carolyn Bankowski

Date: May 13, 2011

Sarah Kim
165 Cottage Street, Unit #701
Chelsea, MA 02150

Pro-Se